

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

BNP PARIBAS S.A., BNP PARIBAS (SUISSE)  
S.A., Individually and as Successor in Interest to  
United European Bank, BNP PARIBAS  
ARBITRAGE SNC, BNP PARIBAS BANK &  
TRUST CAYMAN LIMITED, BGL BNP  
PARIBAS LUXEMBOURG S.A., as Successor in  
Interest to BNP Paribas Luxembourg S.A., BNP  
PARIBAS SECURITIES SERVICES –  
SUCCURSALE DE LUXEMBOURG, and BNP  
PARIBAS SECURITIES SERVICES S.A.,

Defendants.

Adv. Pro. No. 12-01576 (SMB)

**CERTIFICATION TO COURT OF APPEALS BY ALL PARTIES<sup>1</sup>**

A notice of appeal having been filed in the above-styled matter on March 16, 2017 (ECF  
No. 89), Irving H. Picard (the “Trustee”), as trustee of the substantively consolidated liquidation

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<sup>1</sup> This certification complies with Official Bankruptcy Form 424.

proceeding of Bernard L. Madoff Investment Securities LLC (“BLMIS”), under the Securities Investor Protection Act (“SIPA”), 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff, individually, and BNP Paribas S.A., BNP Paribas (Suisse) S.A., individually and as Successor in interest to United European Bank, BNP Paribas Arbitrage SNC, BNP Paribas Bank & Trust Cayman Limited, BGL BNP Paribas Luxembourg S.A., as Successor in interest to BNP Paribas Luxembourg S.A., BNP Paribas Securities Services – Succursale De Luxembourg, and BNP Paribas Securities Services S.A., who are the appellant and all the appellees, hereby certify to the court under 28 U.S.C. § 158(d)(2)(A) that a circumstance specified in 28 U.S.C. § 158(d)(2) exists as stated below.

Leave to appeal in this matter:

- ☐ is required under 28 U.S.C. § 158(a)
- ☒ is not required under 28 U.S.C. § 158(a)

This certification arises in an appeal from a final judgment, order, or decree of the United States Bankruptcy Court for the Southern District of New York entered on March 9, 2017 (ECF No. 88).

An immediate appeal from the judgment, order, or decree may materially advance the progress of the case or proceeding in which the appeal is taken. *See* 28 U.S.C. § 158(d)(2)(A)(iii).

*[Remainder of page intentionally left blank]*

SIGNED: April 4, 2017  
New York, New York

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SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate of  
Bernard L. Madoff*

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BNP Paribas (Suisse) S.A., Individually and as  
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Bank, BNP Paribas Arbitrage SNC, BNP  
Paribas Bank & Trust Cayman Limited, BGL  
BNP Paribas Luxembourg S.A., as Successor  
in Interest to BNP Paribas Luxembourg S.A.,  
BNP Paribas Securities Services – Succusale  
De Luxembourg, and BNP Paribas Securities  
Services S.A.*